

# ***Response to Racial Profiling Policy***

Approved: 

Date: October 2014

## **I. Policy**

As mandated in Nebraska Revised Statute 20-504(8), any probation officer receiving reports of racial profiling, unless restricted by privilege, shall report such incidents to the Nebraska Commission on Law Enforcement and Criminal Justice within 30 days after becoming aware of such a practice.

## **II. Purpose**

To ensure all reported incidents of racial profiling are reported as mandated by State Statute.

## **III. Reference**

[LB99](#)

[Neb. Rev. Statute 20-501](#)

[Neb. Rev. Statute 20-502](#)

[Neb. Rev. Statute 20-503](#)

[Neb. Rev. Statute 20-504](#)

[Neb. Rev. Statute 20-505](#)

[Neb. Rev. Statute 20-506](#)

[Neb. Rev. Statute 81-1822](#)

[Neb. Rev. Statute 20-1833](#)

## **IV. Procedure**

### **A. Definition of Racial Profiling**

1. As defined by Nebraska Revised Statute 20-501, Racial profiling; legislative intent. Racial profiling is a practice that presents a great danger to the fundamental principles of a democratic society. It is abhorrent and cannot be tolerated. An individual who has been detained or whose vehicle has been stopped by the police for no reason other than the color of his or her skin or his or her apparent nationality or ethnicity is the victim of a discriminatory practice.
2. And, (1) Disparate treatment means differential treatment of persons on the basis of race, color, or national origin; (2) Motor vehicle stop means any stop of a motor vehicle, except for a stop of a motor truck, truck-tractor, semitrailer, trailer, or towed vehicle at a state weighing station; and (3) Racial profiling means detaining an individual or conducting a motor vehicle stop based upon disparate treatment of an individual.

B. Response to Allegations of Racial Profiling

1. On occasion a probation officer may receive information stating an individual feels they have been unduly arrested or detained based on racial profiling. In this event, the probation officer shall immediately report such allegations to the Nebraska Commission on Law Enforcement and Criminal Justice within 30 days of receiving the report.
  - a) In the case of a juvenile reporting allegations of racial profiling, the parent or guardian shall be notified of the report.